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BEFORE THE ARIZONA CORPORATION COMMISSION

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MARC SPITZER, Chairman
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MIKE GLEASON
KRISTIN K. MAYES

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AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, TO EXTEND ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN COOLIDGE, PINAL COUNTY,
ARIZONA.

DOCKET NO. W-01445A-04-0453

PROCEDURAL ORDER

BY THE COMMISSION:

On June 16, 2004, Arizona Water Company ("AWC" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water service in the City of Coolidge and the surrounding area in Pinal County, Arizona.

On July 15, 2004, the staff of the Commission's Utilities Division ("Staff") filed a letter indicating that AWC's application has met the sufficiency requirements as outlined in the Arizona Administrative Code.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on **September 22, 2004 at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **September 8, 2004**.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed on or before **September 15, 2004**.

IT IS FURTHER ORDERED that the Applicant shall provide public notice of the hearing in this matter, in the following form and style, with the heading in no less than 10 point bold type and the body in no less than 10 point regular type:

PUBLIC NOTICE OF HEARING ON THE
APPLICATION OF ARIZONA WATER COMPANY
FOR AN EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY
(W-01445A-04-0453)

On June 16, 2004, Arizona Water Company ("AWC") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("CC&N") to provide water service to an area in which records indicate you are a property owner. If the application is granted, the Applicant would be the exclusive provider of water to the proposed area, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Company, [insert address].

The Commission will hold a hearing on this matter beginning **September 22, 2004 at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Applicants or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before September 8, 2004. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene will not preclude any potential customer from appearing at the hearing and making a statement on such person's own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone number 602-542-3931, E-mail ymcfarlin@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that the Applicant shall mail to each property owner in the requested extension area a copy of the above notice and shall cause the above notice to be published

1 at least one in a newspaper of general circulation in its proposed service territory, with publication
2 and mailing to be completed no later than **August 23, 2004**.

3 IT IS FURTHER ORDERED that the Applicant shall file certification of mailing/publication
4 as soon as practicable after the mailing/publication has been completed but not later than **September**
5 **8, 2004**.

6 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing/publication
7 of same, notwithstanding the failure of an individual to read or receive the notice.

8 IT IS FURTHER ORDERED that Staff shall file a Staff Report on or before **August 30,**
9 **2004**.

10 IT IS FURTHER ORDERED that the Applicant shall file any objections to the Staff Report
11 on or before **September 14, 2004**.

12 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
13 Communications) applies to this proceeding as the matter is now set for public hearing.

14 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
15 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

16 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
17 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

18 DATED this 10th day of July, 2004.

19
20 
21 AMANDA POPE
22 ADMINISTRATIVE LAW JUDGE

23 Copies of the foregoing mailed/delivered
24 this 16 day of July, 2004 to:

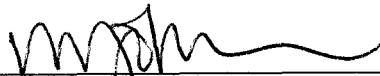
25 Robert W. Geake
26 Arizona Water Company
27 Post Office Box 29006
28 Phoenix, Arizona 85038

29 Christopher Kempley, Chief Counsel
30 Legal Division
31 ARIZONA CORPORATION COMMISSION
32 1200 West Washington Street
33 Phoenix, Arizona 85007

1 Ernest G. Johnson, Director
2 Utilities Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington Street
5 Phoenix, Arizona 85007

6 ARIZONA REPORTING SERVICE, INC.
7 2627 N. Third Street, Suite Three
8 Phoenix, Arizona 85004-1104

9 By:


Molly Johnson
Secretary to Amanda Pope